

REMARKS

Preliminarily, the Examiner confirmed that the Office Action dated June 23, 2011 is Non-Final in a telephone conference of August 31, 2011 with the undersigned.

Support for the amendment to claim 1 is found at page 6, lines 29-32 (the thermoplastic polymer layer (A), the polyamide-based resin layer (B) and the thermoplastic resin layer (C) are laminated in that order and firmly adhered to one another), and at page 63, lines 1-14 (Experiment Example 1). Namely, the tube of Experiment Example 1 was obtained using a three-resin, three-layer coextruding machine, such that the layers (A), (B) and (C) are directly adhered to one another. See also Experiment Examples 2 to 20.

Review and reconsideration on the merits are requested.

Claims 1 and 5-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,776,195 to Blasko et al in view of U.S. Patent No. 6,881,460 to Inaba et al. Noting that the claims do not require the layers to be directly adhered to one another, the Examiner cited Blasko et al as disclosing that the thermoplastic polymer layer 146 (said to correspond to the claimed thermoplastic polymer layer (A)) is bonded to the inner layers (first layer 16 and second layer 18) by co-extrusion.

In response, claim 1 has been amended to require that the three layers are directly firmly adhered to one another, so as to distinguish over Blasko et al where thermoplastic polymer layer 146 is bonded to the inner layer, not directly, but *via reinforcement layers 130a and 130b*. The resulting structure is accordingly unobvious over the combination of Blasko et al and Inaba et al where there is no apparent reason which would lead one of ordinary skill to exclude the reinforcement layers of Blasko et al.

Withdrawal of the foregoing rejection under 35 U.S.C. § 103(a) and allowance of claims 1 and 5-15 is earnestly solicited.

In the event that the Examiner believes that it may be helpful to advance the prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: September 21, 2011